

Wetlands Bureau Decision Report

Decisions Taken
04/11/2011 to 04/17/2011

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2007-01494 STARK 2000 REVOC TRUST, JUMANNA
MEREDITH Lake Winnepesaukee

Requested Action:

Applicant requests reconsideration of the basis of revised plans submitted.

APPROVE RECONSIDERATION:

Reconsider and approve permit: Remove an existing "U-shaped" docking structure with seasonal canopy and install a new "U-shaped" docking structure consisting of two 6 ft x 40 ft seasonal docks connected by an existing 3 ft x 12 ft seasonal walkway with a 14 ft x 30 ft seasonal canopy over the center boatslip, not more than 6 ft southerly of the existing 18 ft x 17.9 ft crib supported deck over water and install a seasonal personal watercraft lift and a separate 6 ft x 40 ft seasonal dock on an average of 320 ft of frontage in Meredith on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants, LLC as revised March 14, 2011, as received by the NH Department of Environmental Services (DES) on March 17, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. This permit does not allow for dredging for any purpose.
5. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
6. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
7. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
11. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
12. All seasonal structures shall be removed from the lake for the non-boating season.
13. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
14. The "U-shaped" docking structure shall be accessed by a separate set of stairs over the bank and shall not be connected in any way to the existing 18 ft x 17.9 ft nonconforming deck.
15. Pursuant to Rule Env-Wt 402.19, the permittee for a shoreline structure defined as a major project shall file a restrictive covenant in the appropriate Registry of Deeds dedicating the shoreline frontage to those structures.
16. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction involving docking facilities that will provide 5 or more boat slips.
2. The applicant has an average of 320 feet of frontage along Lake Winnepesaukee.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will support 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2010-03342 NH DEPT OF TRANSPORTATION
WENTWORTH Baker River

Requested Action:

Replace and extend rip rap along the southern embankment, rehabilitate bridge deck, reconstruct road and approaches, install new guardrail and drainage structures impacting 9,382 sq. ft. (6,769 sq. ft. temporary) of riverine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Replace and extend rip rap along the southern embankment, rehabilitate bridge deck, reconstruct road and approaches, install new guardrail and drainage structures impacting 9,382 sq. ft. (6,769 sq. ft. temporary) of riverine wetlands. NHDOT project #15908

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Design / Fay Spofford and Thorndike, LLC dated 11/10, as received by the Department on Dec. 13, 2010 and April 11, 2011.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau at least 10 working days in advance of the meeting to be held as required by permit condition #3. Those plans shall be complete and shall include details regarding the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Office in Concord, N.H. or NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit.
4. It shall be the responsibility of the permittee to schedule and coordinate the pre-construction meeting providing at least 5-day notice to the NHDES Wetlands Bureau and / or other Land Resources Management Program staff, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), erosion control monitor, and the contractor(s) responsible for performing the work.
5. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
6. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall not be located within surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.

15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

16. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

17. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

18. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

19. Stamped engineering plans are to be submitted to the file as required per rule Env-Wt 404.04(a) and shall include the specific information required per Env-Wt 404.04 (b) prior to any construction activity.

20. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02((i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 15, 2011. Field inspection determined that impacts to jurisdiction are in areas that were previously disturbed and will improve public safety.
6. The project will rehabilitate an existing deteriorated bridge deck to meet current standards.
7. A Natural Resource Agency meeting was held at the NH Dept. of Transportation on September 15, 2010 when the estimated permanent impacts were approximately 1,200 sq. ft. The project plans submitted with the application show permanent impacts of 2,613 sq. ft. due to the additional rip rap for scour protection near an old bridge abutment.
8. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine wetland ecosystem.

**2011-00215 JOHNSON, VENUS
FREMONT**

Requested Action:

Permanently impact 61 sq. ft. of upland Prime Wetland Buffer to Fremont Prime Wetland No. 27 for the construction of a 6 ft. addition to an existing porch.

Conservation Commission/Staff Comments:

The Fremont Conservation Commission (FCC) stated, "We [FCC] wish to convey that we still do not desire the loss of further protection through the intrusion of 61sf of the Prime Wetland buffer.

APPROVE PERMIT:

Permanently impact 61 sq. ft. of upland Prime Wetland Buffer to Fremont Prime Wetland No. 27 for the construction of a 6 ft. addition to an existing porch.

With Conditions:

1. All work shall be in accordance with the 'Wetland Setback Plan' by Eric C. Mitchell & Associates. Inc. dated October 4, 2010, as received by the NH Department of Environmental Services (DES) on March 18, 2011.
2. The applicant shall notify in writing the DES Wetlands Bureau and the Conservation Commission of his/her intention to start construction no less than five (5) business days prior to the commencement of construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

4. There shall be no dredging, removal, or disturbance of any existing vegetative undergrowth within the 100-foot prime wetland buffer. The placement of fill, construction of structures, or storage of vehicles or hazardous materials is prohibited.

5. Any additional human activities within the 100-foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by DES, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.

6. A land resource professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

7. The plantings within the revegetation area shall have at least 75% successful establishment after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.

2. A memo dated 10/04/2010 (the "Memo") from the NH Natural Heritage Bureau ("NHB") identified one (1) natural community, Sweet pepperbush wooded fen and three (3) vertebrate species: Blanding's Turtle (*Emydoidea blandingii*), Redfin Pickerel (*Esox americanus americanus*) and Spotted Turtle (*Clemmys guttata*) within the vicinity of the proposed project.

3. In response to the NHB Memo the applicant volunteered to create 1,000 sq. ft. of upland buffer, that is currently lawn, as a soft edge by allowing this area to regenerate with the addition of planting five (5) clusters of lowbush blueberry as mitigation to satisfy the concerns of the NH Fish and Game, Nongame and Endangered Species Program ("NHFG").

4. No comments were received from the federal agencies.

5. The Fremont Conservation Commission "conveys that [the Fremont Conservation Commission] will still do not desire the loss of further protection through the intrusion of the 61sf of Prime Wetland Buffer."

6. The request for project review by the NH Division of Historical Resources has confirmed that no historic resources are present.

7. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.

8. The detailed plans accurately locate edge of jurisdictional wetland and Fremont Prime Wetland # 27.

9. The project as approved and constructed in adherence to the provided construction sequence and erosion and siltation controls will offset impacts from any increased erosion created by construction.

10. Pursuant to RSA 482-A:3 IV(a), DES that the proposed project will not result in the significant net loss of any of the values set forth in RSA 482-A:1 and the public hearing is not deemed necessary.

11. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

12. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

13. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

14. Based on findings no.'s one (1) through twelve (12) above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

**2011-00714 PUBLIC SERVICE OF NEW HAMPSHIRE
STRAFFORD Unnamed Wetland**

Requested Action:

Impact a total of 53,589 square feet of freshwater wetlands, including 53,563 square feet of temporary impact associated with placement of access mats, and 26 square feet of permanent impact, to access and replace two H-frame powerline structures on the existing 385 line.

APPROVE PERMIT:

Impact a total of 53,589 square feet of freshwater wetlands, including 53,563 square feet of temporary impact associated with placement of access mats, and 26 square feet of permanent impact, to access and replace two H-frame powerline structures on the

existing 385 line.

With Conditions:

1. All work shall be in accordance with plans by GZA GeoEnvironmental, Inc. dated April 2011, as received by DES on 4/7/2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. As stated in the application materials, a member of GZA personnel who is a Certified Wetland Scientist, shall be on site prior to, and during the installation of BMP's, and periodically during construction phases, and shall monitor for, and avoid project impacts to turtle and snake species of concern.
4. Personnel working on the job site shall be made aware of the potential to encounter the state Endangered Blanding's turtle, the state Threatened spotted turtle, wood turtle and smooth green snake in the work area. If encountered, photo-documentation and a report to the appropriate entity NH Fish and Game Department ("NHFG") shall be submitted, and the permittee shall submit a copy of the report to DES to the file to demonstrate compliance with the NHFG reporting requirement.
5. Work shall be done during the target window of April 25 to May 5 to minimize impacts to the listed species of concern. If the project is delayed, the permittee shall coordinate with NHFG to determine a suitable time or condition for the project to best proceed, and shall document that coordination to DES.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.
13. Prior to the installation; swamp mats shall be inspected for and removed of all vegetative matter.
14. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(k), projects in a wetland that have been identified by the Natural Heritage Inventory as having documented occurrences of state or federally listed Endangered or Threatened species.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing pole height is allowing the power lines to sag to a degree that represents a human contact safety hazard.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. Access to the work locations is through the use of temporary mats, with only 26 square feet of permanent impact for pole replacement.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. With respect to the listed wildlife species reported by the NH Natural Heritage Bureau for the project location, DES has included the specific recommendations of the NH Fish and Game Department as conditions of the permit.
5. Pursuant to email correspondence to DES dated 4/12/2011, the Strafford Conservation Commission reports that they have reviewed the application and have no objection to the project.
6. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the project as proposed is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2010-00644 NH DEPT OF TRANSPORTATION
LITTLETON Unnamed Stream

Requested Action:

Reset ends of twin 48 in. culverts and slipline with 42 in. plastic pipes, construct header, stone line outlet and replace a 15 in. culvert impacting 7,145 sq. ft. (5,365 sq. ft. temporary) of riverine and palustrine wetlands.

Conservation Commission/Staff Comments:

Cons. Comms - no comments

APPROVE PERMIT:

Reset ends of twin 48 in. culverts and slipline with 42 in. plastic pipes, construct header, stone line outlet and replace a 15 in. culvert impacting 7,145 sq. ft. (5,365 sq. ft. temporary) of riverine and palustrine wetlands. NHDOT project #16024.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Environment undated (printed 2/10/2011), as received by the Department on Feb. 16, 2011.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be repaired/ constructed within seven days of culvert installation.
11. Work shall be done during low flow.
12. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of stream and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. This project is a partial follow-up to the emergency permit 2009-02588 issued Nov. 2, 2009.

2010-02364 SEASONS AT ATTITASH
BARTLETT Unnamed Stream

Requested Action:

Dredge and fill approximately 600 square feet of a perennial stream for the replacement of a 30" culvert and two 24" culverts with two 42" culverts. Work in jurisdiction includes 240 square feet of temporary impacts that will be restored.

APPROVE AMENDMENT:

Dredge and fill approximately 600 square feet of a perennial stream for the replacement of a 30" culvert and two 24" culverts with two 42" culverts. Work in jurisdiction includes 240 square feet of temporary impacts that will be restored.

With Conditions:

1. All work shall be in accordance with plans by H.E.Bergeron Engineers, Inc. entitled Design Drawings for the Seasons at Attitash Culvert Replacement (Sheets 1-4 of 4) dated July 9, 2010 revised January 29, 2011 as received by DES on January 24, 2011.
2. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
3. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
14. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
15. No equipment shall enter the water.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. The culverts shall be laid at original (stream) grade.
19. Proper headwalls shall be constructed within seven days of culvert installation.
20. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
21. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

23. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

24. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

25. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

DES reaffirms findings 1 through 11 with additional findings.

1. This is a Minor Project per Administrative Rule Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. A single culvert is not practicable.
6. The new culverts will freely pass the 50 year storm event.
7. The stream crossing is an upgrade of the existing stream crossing.
8. The applicant has provided a waiver request per Env-Wt 204.03, to waive the delineation of wetland boundaries as required per Env-Wt 301.01.
9. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.
10. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
11. No comments were submitted from the Conservation Commission, the NH Natural Heritage Bureau or the NH Fish and Game Department.
12. On April 15, 2011 DES received a proposed amendment request.
13. The amendment is necessary to allow construction to occur when usage of the road is low and stream flow may not be low.
14. The conditions of the permit have been revised to read: cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
15. The cofferdams will be installed to handle flows that may occur during the construction period.

2010-03383 TOWN OF WEARE
WEARE Buxton Brook

Requested Action:

Dredge and fill \pm 2,801 sq. ft. of Eben Page Marsh at Eben Page Road and Buxton Brook at Mountain Road to install open bottom spans for recreational, forestry and restricted private use access. Remove culvert and restore 81 sq. ft. of Ferrin Pond Brook channel at Mountain Road.

APPROVE PERMIT:

Dredge and fill \pm 2,801 sq. ft. of Eben Page Marsh at Eben Page Road and Buxton Brook at Mountain Road to install open bottom spans for recreational, forestry and restricted private use access. Remove culvert and restore 81 sq. ft. of Ferrin Pond Brook channel at Mountain Road.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated November 08, 2010, and revised through March 08, 2011, as received by the Department on March 18, 2011.

2. Work shall be done during low flow conditions.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
15. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert, between wingwalls and beyond. Any new materials used must be similar to the natural stream substrate and shall not include angular riprap.
16. The recreated stream channel beds must maintain the natural and a consistent streambed elevation and not impede stream flow.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
23. A post-construction report including photographs documenting the status of the completed construction and restored stream bed shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.
24. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the stream restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of each mitigation site.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(i), Projects that alter the course of or disturb 200 or more linear feet of perennial nontidal stream channel or its banks.
2. A complaint for activities on this parcel was received by the DES Wetlands Bureau on March 04, 2010.
3. DES enforcement staff conducted a field inspection of the site on April 02, 2010.
4. In an email dated April 16, 2010, the DES Wetlands Bureau Enforcement Section suggested town entities work together to obtain proper permits for installation of two (2) crossings at Mountain Brook Road.
5. The Standard Dredge and Fill Application was received on December 13, 2010.
6. Currently, at the locations where the open bottom spans are proposed, stream crossing structures are not functioning or present

and streams flow over the Class VI road.

7. Per Env-Wt 904.09, an Alternative Design was submitted. The design notes that project design commenced prior to stream rule adoption, with a meeting held May 12, 2010. The meeting defined the intent of the project scope, which resulted in a contract dated June 07, 2010.

8. The proposed open bottom spans were designed for logging, recreation and restricted private use access, not to upgrade the class VI road.

9. The proposed open bottom spans were designed to allow water to flow through the culverts during a 2-year storm and allow water to flow unimpeded around the culverts during the 100-year storm.

10. The applicant has received written consent from the abutters to the right-of-way on which project activities will take place, for work within 20 feet of their property lines, in accordance with Env-Wt 304.04(a), with exception of a single abutter to the Buxton Brook crossing at Mountain Rd.

11. The applicant has provided a waiver request per Env-Wt 204.03, to waive the written abutter permission requirement for projects within 20 feet of abutting property lines, as required by Env-Wt 304.04, for the impacts within 20 feet of the abutting property line of tax map/lot no. 410/15, for construction of the Buxton Brook crossing.

12. The Buxton Brook crossing is located in the center of the right-of-way and within approximately 15 feet of the tax map/lot no. 410/15, abutting property line.

13. The March 18, 2011, agent submittal included a letter sent certified mail to the owners of tax map/lot no. 410/15. The letter summarizes a meeting held February 08, 2011, noting non-support of the owners based on fear that any upgrade would increase nuisance related activities. The letter also provided the appropriate NHDES Wetlands Bureau contact information.

14. Relocating the Buxton Brook crossing to meet the 20 foot setback would increase the overall impacts to undisturbed areas of the stream resource.

15. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.04.

16. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

17. Letters of concern were submitted to the file. Concerns relative to the jurisdiction of the DES Wetlands Bureau include maintenance associated with the proposed structures. Additional concerns include town zoning and access/development issues associated with the crossings.

18. The March 18, 2011, submittal responded to the letters of concern. The submittal recognizes that, as with all structures, maintenance of the proposed structures will be required.

19. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

20. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

21. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00339 TRIPLE K PROPERTIES INC
COLUMBIA Beaver Brook

Requested Action:

Dredge and fill 3,831 square feet within palustrine scrub-shrub wetlands, an intermittent stream (impacting 50 linear feet), and the bank of an unnamed perennial stream (impacting 32 linear feet) to expand an existing gravel and stone excavation pit (Ledge Pit) and to provide road access to an adjacent gravel pit. In addition, 10,670 square feet of previously impacted wetlands and intermittent stream channel (290 linear feet) will be restored as part of the project.

APPROVE PERMIT:

Dredge and fill 3,831 square feet within palustrine scrub-shrub wetlands, an intermittent stream (impacting 50 linear feet), and the bank of an unnamed perennial stream (impacting 32 linear feet) to expand an existing gravel and stone excavation pit (Ledge Pit) and to provide road access to an adjacent gravel pit. In addition, 10,670 square feet of previously impacted wetlands and intermittent stream channel (290 linear feet) will be restored as part of the project.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering, Inc. dated January 2011, as received by the NH Department of Environmental Services (DES) on February 10, 2011.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

Wetland/Stream Restoration Conditions:

13. This permit is contingent upon the restoration of 10,670 square feet of wetlands and an intermittent stream channel (290 linear feet) in accordance with the plans received by DES on February 10, 2011.
14. The schedule for construction of the restoration areas shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
15. Wetland/stream restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland and stream areas similar to those destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
16. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
17. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restoration area.
18. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
19. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration areas during construction and during the early stages of vegetative establishment.

With Findings:

1. This project is classified as a Minor Project per NH Administrative Rule Env-Wt 303.03(h), as wetland impacts are less than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for

Application Evaluation, has been considered in the design of the project.

5. No public comments or concerns were received by DES for the proposed project.

**2011-00354 YONKUNAS, DAWN/JOHN
MEREDITH Lake Winnepesaukee**

Requested Action:

Permanently remove all existing docking structures, construct two 6 ft x 4 ft concrete anchor pads, install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 12 ft seasonal walkway, and install 2 seasonal personal watercraft lifts in the northern slip on an average of 154 ft on Lake Winnisquam, in Meredith.

Conservation Commission/Staff Comments:

No comments from Con Com by March 04, 2011

APPROVE PERMIT:

Permanently remove all existing docking structures, construct two 6 ft x 4 ft concrete anchor pads, install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 12 ft seasonal walkway, and install 2 seasonal personal watercraft lifts in the northern slip on an average of 154 ft on Lake Winnisquam, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants revision dated April 8, 2011, as received by the NH Department of Environmental Services (DES) on April 8, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the docking structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.
5. Seasonal personal watercraft lifts shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c), construction of a docking system that exceeds the criteria for a minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 154 feet of shoreline frontage along Lake Winnisquam.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

MINIMUM IMPACT PROJECT

2011-00370 NH FISH & GAME DEPT
CANAAN Mascoma River

Requested Action:

Dredge and fill 52,049 square feet of the Mascoma River and associated wetlands. Work in jurisdiction includes removing an undersized 15 foot culvert, restoring the bed of the river, stabilizing the banks of the river, and repairing flood damaged areas.

APPROVE PERMIT:

Dredge and fill 52,049 square feet of the Mascoma River and associated wetlands. Work in jurisdiction includes removing an undersized 15 foot culvert, restoring the bed of the river, stabilizing the banks of the river, and repairing flood damaged areas.

With Conditions:

1. All work shall be in accordance with plans by USDA Natural Resources Conservation Service entitled Mascoma River WHIP (sheets 1-14 of 14) as received by DES on February 16, 2011.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. Materials used to emulate a natural channel bottom shall be rounded and smooth stones similar to the natural stream substrate.
4. Work shall be done during low flow.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
8. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
9. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
19. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact Project per Env-Wt 303.04 (t) Restoration of altered or degraded wetlands provided the project: (1)

Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service; (2) Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order; (3) Is not located in or adjacent to prime wetlands; and (4) Does not meet the criteria of Env-Wt 303.02(k).

2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant provided written permission from the owner of the property identified as Town of Canaan Tax Map 6 Lot 36 for the work to occur on and adjacent to their property.
5. The project will restore geomorphic integrity of the Mascoma River and associated floodplain by removing a fifteen foot diameter corrugated metal squash culvert and restoring degraded sections of the riverbank at the culvert crossing.
6. The undersized culvert has caused several avulsions and area of degraded wetland and upland on the project site. The project was designed to restore geomorphic integrity of the Mascoma River and prevent further avulsing through it floodplain.
7. The project will restore fish passage.
8. NH Fish and Game will provide oversight of the project.
9. NHB determined that, although there was an NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, they do not expect that it will be impacted by the proposed project.

FORESTRY NOTIFICATION

2011-00625 RANCOURT, LAURENT & CHRISTINE
CLARKSVILLE Unnamed Stream

COMPLETE NOTIFICATION:
Clarksville Tax Map R2, Lot# 15-3

2011-00674 BOOTHY, PATRICE
FRANCESTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Francestown Tax Map 8, Lot# 93-0, 93-1, 93-2

2011-00732 DEMERS, DENNIS
AUBURN Unnamed Stream

COMPLETE NOTIFICATION:
Auburn Tax Map 4, Lot# 16

2011-00746 BARRETT, BONNIE/MARSHALL
SWANZEY Unnamed Wetland

COMPLETE NOTIFICATION:
Swanzy Tax Map/Lot# 81/14 & 17, 82/6, 83/1

2011-00748 DUTREY, LYNNE
HARRISVILLE Unnamed Stream

Conservation Commission/Staff Comments:
Landing and access road on abutting property Neff 2011-567

COMPLETE NOTIFICATION:
Harrisville Tax Map 40, Lot# 86

2011-00757 CHAPPELL, ROGER
WILTON Unnamed Stream

COMPLETE NOTIFICATION:
Wilton Tax Map D, Lot# 99

2011-00762 MEADOWSEND TIMBERLANDS LTD
HAMPSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Hampstead Tax Map 4, Lot# 11, 33, 79

2011-00778 MANCHESTER WATER WORKS
AUBURN Unnamed Stream

COMPLETE NOTIFICATION:
Auburn Tax Map 9, Lot# 1

2011-00779 SPACHT REVOC TRUST, CURTIS
MASON Unnamed Stream

COMPLETE NOTIFICATION:
Mason Tax Map A, Lot# 16

EXPEDITED MINIMUM

2011-00194 TOURETTES TRUST
WOLFEBORO Lake Winnepesaukee

Requested Action:
Repair "in kind" an existing 34 linear feet of breakwater with a 5 ft 6 in x 50 ft cantilevered dock, install 4 ft x 4 ft access stairs in the bank, on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair "in kind" an existing 34 linear feet of breakwater with a 5 ft 6 in x 50 ft cantilevered dock, install 4 ft x 4 ft access stairs in the bank, on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group revision dated February 24, 2011, as received by the NH Department of Environmental Services (DES) on March 01, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2011-00252
BELMONT**

ANSTEY, JOHN

Requested Action:

Proposal to dredge & fill of 825 sq. ft. forested wetlands for access. Work in wetlands consists of installation of a 15 in. x 32.5 ft. HDPE culvert with associated headwalls, grading and filling.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the expedited application.

APPROVE PERMIT:

Dredge & fill of 825 sq. ft. forested wetlands for access. Work in wetlands consists of installation of a 15 in. x 32.5 ft. HDPE culvert with associated headwalls, grading and filling.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. plan revision date January 3, 2011, as received by the NH Department of Environmental Services (DES) on January 27, 2011 and plan with revision date of March 28, 2011, as received by DES on April 14, 2011.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

3. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
4. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
5. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
8. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00500 BRIOTT LLC
NEWBURY Unnamed Wetland

Requested Action:

Dredge and fill \pm 1,975 sq. ft. of wetlands to install twin 15-in. x 33-ft. HDPE culverts for driveway access to an existing single family residential lot.

APPROVE PERMIT:

Dredge and fill \pm 1,975 sq. ft. of wetlands to install twin 15-in. x 33-ft. HDPE culverts for driveway access to an existing single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Richard D. Bartlett & Associates, LLC dated November 2010, as received by the Department on March 14, 2011.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. The application is signed by and includes plans stamped by a NH Certified Wetland Scientist. The application states the impacted jurisdictional area is a palustrine forested and scrub-shrub wetland.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2011-00526 RANDAZZA REALTY TRUST I
RYE Atlantic Ocean

Requested Action:

Impact a total of 557 sq. ft. in the previously disturbed 100-foot tidal buffer zone to include 281 sq. ft. of permanent impact and 276 sq. ft. of temporary impact for the construction of concrete stairs and a 4 ft. wide dry-laid flagstone walk.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 557 sq. ft. in the previously disturbed 100-foot tidal buffer zone to include 281 sq. ft. of permanent impact and 276 sq. ft. of temporary impact for the construction of concrete stairs and a 4 ft. wide dry-laid flagstone walk.

With Conditions:

1. All work shall be in accordance with the 'NHDES Permit Application Plan' (Sheet C1) by Ambit Engineering, Inc. dated December 2010 and revised through 2/17/11, as received by the NH Department of Environmental Services (DES) on March 16, 2011.
2. DES Southeast Region Staff shall be notified in writing prior to commencement of work and upon its completion.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
during all times of the year.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All work on the steps shall be performed during low tide only.
6. No fill shall be done for lot development.
7. The flagstone walkway shall be dry laid, set on a permeable bed and have gaps of at least 2-inches between adjacent stones.
8. All temporary impacts shall be restored to original grades and stabilized as soon as practicable.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line
unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant obtained written permission from both property owners for those impacts on their properties.

GOLD DREDGE

2011-00720 PARADAY, DUANE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2011-00766 LESSARD, RONALD
(ALL TOWNS) Unnamed Stream

LAKES-SEASONAL DOCK NOTIF

2011-00722 COUROUTIS, TIMOTHY
ALTON Hills Pond

COMPLETE NOTIFICATION:
Alton Tax Map 10-32, Lot# 14 Hills Pond

2011-00736 STELLA ELAINE CHENEY TRUST
KINGSTON Long Pond

COMPLETE NOTIFICATION:
Kingston Tax Map R23, Lot# 60 Long Pond

2011-00740 NANCY TREITEL LIVING TRUST
SALEM Arlington Pond

COMPLETE NOTIFICATION:
Salem Tax Map 21, Lot# 5770 Arlington Pond

2011-00749 ROSAMOND, JENNIFER/JOHN
FRANCESTOWN Haunted Lake(soby Lake)

COMPLETE NOTIFICATION:
Francestown Tax Map 15, Lot# 1 Soby Pond

**2011-00763 HORN TRUST 1992, MARGARET
WOLFEBORO Unnamed Pond Lake Wentworyh**

COMPLETE NOTIFICATION:

Wolfeboro Tax Map 225, Lot# 7 Lake Wentworth

**2011-00783 SUKHORUKOV, ANDREI
NORTH HAMPTON Mill Pond**

COMPLETE NOTIFICATION:

North Hampton Tax Map 6, Lot# 144-1 Mill Pond

PERMIT BY NOTIFICATION

**2011-00544 WELDON, RUSS
NEW DURHAM Merrymeeting Lake**

Requested Action:

Repair existing retaining wall with no change in location or dimensions during draw down on Merrymeeting Lake, New Durham.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair existing retaining wall with no change in location or dimensions during draw down on Merrymeeting Lake, New Durham.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), replacement of existing retaining walls that is performed "in the dry" during draw down with no change in height, length, location or configuration.

CSPA PERMIT

**2009-02654 SQUAM BYRNE LLC
MOULTONBOROUGH Squam Lake**

Requested Action:

AMENDMENT DESCRIPTION: Revised plans dated September 16, 2010 by Ames Associates and submitted to DES April 12, 2011 for the relocation of proposed bath house located approximately 20 ft south of previous location.

Impact 1,045 sq ft to remove and replace existing culvert.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plans dated September 16, 2010 by Ames Associates and submitted to DES April 12, 2011 for the relocation of proposed bath house located approximately 20 ft south of previous location.

Impact 1,045 sq ft to remove and replace existing culvert.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated June 9, 2009 and received by the Department of Environmental Services ("DES") on August 10, 2009.
2. No more than 4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,255 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,785 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00972 CARON, DAVID & CYNTHIA
CONCORD Contoocook River

Requested Action:

Impact 2256 sq ft for the purpose of constructing new two story home, well and holding tank, and to raise existing shed and outhouse.

APPROVE PERMIT:

Impact 2256 sq ft for the purpose of constructing new two story home, well and holding tank, and to raise existing shed and outhouse.

With Conditions:

1. All work shall be in accordance with plans by Northpoint Engineering, LLC dated December 15, 2010 and received by the NH Department of Environmental Services (DES) on March 31, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 12.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02867 THE LAKEHOUSE COTTAGES LLC
LACONIA Lake Winnepesaukee

Requested Action:

Impact 3,694 sq ft for the purpose of repairing and replacing footings on multiple cottages and constructing a new walkway.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Amend permit to construct new walkway.

Impact 3,694 sq ft for the purpose of repairing and replacing footings on multiple cottages and constructing a new walkway.

With Conditions:

1. All work shall be in accordance with plans submitted by Jerry Maloney and received by the Department of Environmental Services ("DES") on October 19, 2010 and supplemental materials received on April 5, 2011.
2. No more than 29.6% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
4. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.

2010-02946 PIWINSKI, GERALD/PHYLLIS
SEABROOK Atlantic Ocean

Requested Action:

AMENDMENT DESCRIPTION: Approved construction for wooded deck to be substituted with permeable pavers.

Impact 1,694 sq ft in order to construct a deck.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Approved construction for wooded deck to be substituted with permeable pavers.

Impact 1,694 sq ft in order to construct a deck.

With Conditions:

1. All work shall be in accordance with plans by Schoonmaker dated March 16, 2010 and received by the NH Department of Environmental Services (DES) on October 26, 2010.
2. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00426 KELCZEWSKI PARTNERS
BARNSTEAD Lower Suncook Lake

Requested Action:

Impact 3,092 sq ft for the purpose of replacing expanding an existing nonconforming structure, replacing an existing impervious parking area with permeable pavers, native vegetation enhancements, and incorporating stormwater management techniques.

APPROVE PERMIT:

Impact 3,092 sq ft for the purpose of replacing expanding an existing nonconforming structure, replacing an existing impervious parking area with permeable pavers, native vegetation enhancements, and incorporating stormwater management techniques.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structures that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Martin Meier dated March 28, 2011 and received by the NH Department of Environmental Services (DES) on April 11, 2011.
2. This approval includes a waiver of RSA 483-B:9, II(b)and, therefore, shall not be effective until it has been recorded at the Belknap County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 19.87% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 3,349 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2288 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. All pervious technologies shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. The plantings in the waterfront buffer shall be completed within one year of the initiation of construction.
8. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that all proposed plantings achieve a 100% success rate.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. Within three (3) days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding or mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
18. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lower Suncook Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install infiltration trenches below the drip-lines of the nonconforming structure.
4. The applicant has proposed to install stormwater controls consisting of a dry wells and pervious pavers that will be capable of infiltrating stormwater from driveway and impervious surfaces.
5. The applicant has proposed to enhance the waterfront buffer with additional levels of native vegetation.
6. The applicant has proposed to install sound stormwater controls and enhance the waterfront buffer with native vegetation, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2011-00430 ELLIOTT, ANGELA
WAKEFIELD Lovell Lake

Requested Action:

Impact 2,760 sq ft in order to install a new septic system, underground gas tank, deck, walkway, driveway, and a new shed.

APPROVE PERMIT:

Impact 2,760 sq ft in order to install a new septic system, underground gas tank, deck, walkway, driveway, and a new shed.

With Conditions:

1. All work shall be in accordance with plans by David W. Vinvent, LLC dated February 11, 2011 and received by the NH Department of Environmental Services (DES) on March 28, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 18.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 550 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00621 VERDONE, PETER
STODDARD Highland Lake

Requested Action:

Impact 12,704 sq ft in order to construct a four bedroom home with a garage, deck, driveway and septic system.

APPROVE PERMIT:

Impact 12,704 sq ft in order to construct a four bedroom home with a garage, deck, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design LLC dated February 17, 2011 and received by the NH Department of Environmental Services (DES) on March 28, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 14.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 7,437 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00633 BODDIE, RICHARD
PITTSFIELD Suncook River

Requested Action:

Impact 3,240 sq ft in order to replace a damaged home that has been razed.

APPROVE PERMIT:

Impact 3,240 sq ft in order to replace a damaged home that has been razed.

With Conditions:

1. All work shall be in accordance with plans by Carl Sherblom dated March 14, 2011 and received by the NH Department of Environmental Services (DES) on March 29, 2011.
2. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 988 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The application for proposed replacement of a single family residence is approved in accordance with the provisions of RSA 483-B:10, Nonconforming Lots of Record.

2011-00648 MCDANIEL-THOMAS, CHERYL
SWANZEY Wilson Pond

Requested Action:

Impact 1,021 sq ft in order to replace foundation, walkway, concrete, driveway, shed, and construct a deck and patio.

APPROVE PERMIT:

Impact 1,021 sq ft in order to replace foundation, walkway, concrete, driveway, shed, and construct a deck and patio.

With Conditions:

1. All work shall be in accordance with plans by Peter Thomas & Cheryl McDaniel-Thomas dated March 1, 2011 and received by the NH Department of Environmental Services (DES) on March 30, 2011.
2. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00656 HOPFENSPIRGER, CAROL
SUNAPEE Lake Sunapee

Requested Action:

Impact 3,666 sq ft in order to add a foundation, construct two walls for basement access, and install a plunge pool.

APPROVE PERMIT:

Impact 3,666 sq ft in order to add a foundation, construct two walls for basement access, and install a plunge pool.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated March 1, 2011 and received by the NH Department of Environmental Services (DES) on March 31, 2011.
2. No more than 28% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 1,907 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-00657 GRAYSTONE BUILDERS
DOVER Cocheco River

Requested Action:

Impact 10,142 sq ft in order to construct a four bedroom house with an attached garage, driveway, and septic system.

APPROVE PERMIT:

Impact 10,142 sq ft in order to construct a four bedroom house with an attached garage, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated March 23, 2011 and received by the NH Department of Environmental Services (DES) on March 31, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 11% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 8,464 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00671 JOHNSON, TO
WAKEFIELD Great East Lake

Requested Action:

Impact 9,974 sq ft in order to construct a three bedroom house, garage, driveway, and septic system.

APPROVE PERMIT:

Impact 9,974 sq ft in order to construct a three bedroom house, garage, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated March 2, 2011 and received by the NH Department of Environmental Services (DES) on April 1, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 18.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 6,195 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-00680 **MCGONAGLE, CHARLES/MARY**
WINDHAM **Cobbett's Pond**

Requested Action:

Impact 2,146 sq ft in order to remove a house and part of parking area and build a new house with septic system.

APPROVE PERMIT:

Impact 2,146 sq ft in order to remove a house and part of parking area and build a new house with septic system.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated March 1, 2011 and received by the NH Department of Environmental Services (DES) on April 4, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 48.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. This project is approved under the provisions of RSA 483-B:10, non-Conforming Lots of Record.
2. The project as proposed will reduce the percentage of the lot covered by impervious surfaces.

2011-00693 **ROBERTS, CHRISTINE/MICHAEL**
MILAN **Nay Pond**

Requested Action:

Impact 19,855 sq ft in order to construct a new dwelling, driveway, and septic system.

APPROVE PERMIT:

Impact 19,855 sq ft in order to construct a new dwelling, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by York Land Services, LLC dated February 28, 2011 and received by the NH Department of Environmental Services (DES) on April 5, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 16.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 9,758 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2010-03442 THOMAS, JOHN/NORMA
SUNAPEE Sunapee Lake

Requested Action:

Impact 5,470 sq ft for the purpose of constructing a new nonconforming primary structure, associated accessory structures and installing stormwater controls.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Amend shoreland impact permit to modify the footprint of the proposed primary structure. Impact 5,470 sq ft for the purpose of constructing a new nonconforming primary structure, associated accessory structures and installing stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback and RSA 483-B:9 V(a)(2)(D)(iii) is waived to allow the point score of a waterfront buffer grid segment to be temporarily reduced below the minimum score requirement.

With Conditions:

1. All work shall be in accordance with revised plans by CLD Consulting Engineers, dated March 25, 2011 and received by the Department of Environmental Services ("DES") on April 1, 2011. 2. This approval includes a waiver of RSA 483-B:9, II (b) and therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 20.8% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate

- stormwater. 5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. No impacts to natural ground cover shall occur within the waterfront buffer.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. All proposed plantings shall be monitored, and if necessary, replaced, to ensure 100% survival rate for a period three years following construction.
9. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 1,463 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
11. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
12. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
13. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
14. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
15. Any fill used shall be clean sand, gravel, rock, or other suitable material.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Sunapee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. The proposed construction will require the removal of trees in the waterfront buffer that will temporarily bring the tree and sapling score on a segment in the waterfront buffer below the score required per RSA 483-B:9 V(a)(2)(D)(iii).
3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
4. The applicant has proposed to decrease the impervious area within the protected shoreland by 508 sq ft.
5. The applicant has proposed to install stormwater controls consisting of infiltration trenches below the drip edges of the proposed structure.
6. The applicant has proposed to install stormwater controls consisting of 2 sediment basins and drywell at the outlet of a stormwater culvert on the subject property.
7. The applicant has proposed to construct a new driveway that utilizes pervious materials.
8. The applicant is proposing to plant additional, native vegetation and natural ground cover within the waterfront buffer.
9. The applicant has proposed to decrease the size of an accessory structure located within the waterfront buffer and replant the area formerly composed of impervious surfaces with native plantings.
10. The applicant has proposed to add additional stormwater features by adding a gutter system to the remaining portion of the accessory structure and allowing and directing stormwater via it to a stone filled dry well.
11. The applicant has proposed to install significant stormwater controls, reduce the total amount of impervious surface coverage within the protected shoreland, install a pervious driveway and enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.